

**BOARD OF PUBLIC WORKS**  
**January 26, 2005**

A regular meeting of the Board of Public Works of the Consolidated City of Indianapolis, Marion County, Indiana, was held the 26<sup>th</sup> day of January 2005, in the Public Assembly Room of the City-County Building. Chair James Garrard called the meeting to order at 1:00 p.m.

Board members in attendance were: James Garrard      Alfred Finnell      Kip Tew  
Sue Schalk      Tony Buford  
Absent: Roger Brown

Staff in attendance were: Michael Rogers      Matt Senseny      George Krack  
Mike Smith      Larry Jones      John Burkhardt  
Mike Hill      Steven Givens      Kathy Hargraves  
Patrick Carroll      Bob Zieles      Mickey Rogers  
Margie Smith-Simmons

**ITEM # 1 – RESOLUTIONS**

- a. Resolution No. 5, 2005; Approving and Certifying Liens Against Properties for Non-Payment of Delinquent Sewer Service Fee and Penalties

Staff recommended that the Board of Public Works approve and adopt Resolution No. 5, 2005, Approving, Certifying and Recording Liens Against Properties for Non-Payment of Delinquent Sewer Services Fees and Penalties. In addition, requests for payment and notice of intent to lien were mailed to approximately 18,267 owners of property with delinquent sewer fees and penalties existed. The minimum amount liened is \$11.00, including penalties. Upon a motion by Mr. Finnell, seconded by Mr. Buford, the Board voted 5-0 to approve and adopt Board Resolution No. 5, 2005.

- b. Resolution No. 6, 2005; Petition for the Modification of the Right of Way of the John P. Heath Legal Drain

Staff recommended that the Board of Public Works approve and adopt Resolution No. 6, 2005, granting a modification of the right of way of the John P. Heath Regulated Drain. The petitioner has requested a modification of the right of way of the John P. Heath Regulated Drain, the request would allow for the construction of townhouse built with patios, appurtenant roadway, sidewalk, storm sewer, sanitary sewer, water line and appropriate structures. The installation of these facilities were designed to serve Berkley Place Townhouse, and will not impede the maintenance or operation of the regulated drain. Upon a motion by Mr. Tew, seconded by Ms. Schalk, the Board voted 5-0 to approve and adopt Board Resolution No. 6, 2005.

**ITEM # 2 – COMPLETION AND COMPLIANCE AFFIDAVITS FOR RESIDENTIAL DEVELOPMENT**

- a. Completion and Compliance Affidavit for the Residential Development Wood Creek Section 1 & 2 Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Wood Creek Section 1 & 2 Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developers' three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Ms. Schalk,

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seconded by Mr. Finnell, the Board voted 5-0 to accept the Completion and Compliance Affidavit for the Residential Development/Wood Creek Section 1 & 2 Sub-Division.

- b. Completion and Compliance Affidavit for the Residential Development Woodsong Section 1 & 2 Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Woodsong Section 1 & 2 Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developers' three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Ms. Schalk, seconded by Mr. Finnell, the Board voted 5-0 to accept the Completion and Compliance Affidavit for the Residential Development for the Woodsong Section 1 & 2 Sub-Division.

- c. Completion and Compliance Affidavit for the Residential Development Carriage Court Section 3 Sub-Division

Staff recommended that the Board of Public Works accept the reports and documents for street construction, Carriage Court Section 3 Sub-Division, into the City of Indianapolis' inventory of maintenance responsibility. The contractor or developers' three-year maintenance bond (s) covering the phases of street construction has been with the Department of Metropolitan Development. Upon a motion by Ms. Schalk, seconded by Mr. Finnell, the Board voted 5-0 to accept the Completion and Compliance Affidavit for the Residential Development for the Carriage Court Section 3 Sub-Division.

**ITEM # 3 – FINAL CHANGE ORDER AND ACCEPTANCES**

- a. CL-48-008, # 1/FINAL; Maze Road (9104 E) Culvert Replacement  
\$11,406.35 - Small-Wilson, Inc

Staff recommended that the Board of Public Works approve and authorize the Director to execute Change Order No. 1/FINAL for Small-Wilson, Inc., in the increased amount of \$11,406.35 for a new contract total of \$118,691.20 and no increase of calendar days for Project No. CL-48-008, Maze Road (9104 E) Culvert Replacement, and furthermore to accept this project as final. The change order created an item for structural backfill of the culvert. This item was not included in the itemized proposal for this contract, which includes completed items that deviated from planned quantities. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 5-0 to approve the Maze Road (9104 E) Culvert Replacement.

**ITEM # 4 – PROFESSIONAL SERVICE AGREEMENT**

ST-20-045; Shadeland Avenue from Pendleton Pike to 42<sup>nd</sup> Street  
\$380,000.00 – United Consulting Engineers & Architects

Staff recommended that the Board of Public Works approve a full time Professional Service Agreement for Construction Inspection with United Consulting Engineers & Architects for Project ST-20-045, Shadeland Avenue from Pendleton Pike to 42<sup>nd</sup> Street, in an amount not to exceed \$380,000.00. This agreement has been approved by the Indiana Department of Transportation for federal funding. The Department of Public Works will be reimbursed for 80% of this agreement. Upon a motion by Mr. Buford, seconded by Mr. Tew, the Board voted 5-0 to approve the Shadeland Avenue from Pendleton Pike to 42<sup>nd</sup> Street.

**ITEM # 5– OTHER AGREEMENT**

Emergency Pothole Repairs MCH-05-001 & MCH-05-002  
\$115,500.00 – Globe Asphalt Paving Co, Inc  
\$115,500.00 – Milestone Contractors, L.P

Staff recommended that the Board of Public Works declare that an emergency exists and authorize the Director to approve Project MCH-05-001 to Milestone Contractors, L.P., an amount not to exceed \$115,500.00 for Emergency Pothole Patching/Repairs on the west half of Marion County and MCH-05-002 to Globe Asphalt Paving Co, Inc., on the east half of Marion County, an amount not to exceed \$105,000.00. The potholes create a danger to the public health and safety and therefore need to be repaired in an expeditious manner. Upon a motion by Ms. Schalk, seconded by Mr. Finnell, the Board voted 5-0 to approve the Emergency Pothole Repairs.

**ITEM # 6– PROFESSIONAL SERVICE AMENDMENTS**

- a. ENG-03-003; Construction Inspection/Design Services, Time Only, Amendment No. 2  
\$0.00 – MS Consultants, Inc

Staff recommended that the Board of Public Works approve Amendment No. 2 to the Professional Service Agreement dated October 28, 2002 with MS Consultants, Inc., for ENG-03-003 for time extension only for an amount not to exceed \$330,000.00. This amendment provides for additional time to allow the engineer to provide for additional inspection services to be supplied by the engineer under the original agreement. This amendment will not expire on January 31, 2006. Upon a motion by Mr. Tew, seconded by Mr. Finnell, the Board voted 5-0 to approve the Construction Inspection/Design Services, Time Only with MS Consultants, Inc.

- b. ENG-03-010; Construction Inspection/Design Services, Time Only, Amendment No. 2  
\$0.00 – Butler, Fairman & Seufert, Inc

Staff recommended that the Board of Public Works approve Amendment No. 2 to the Professional Service Agreement dated February 26, 2003 with Butler, Fairman & Seufert for ENG-03-010 for time extension only for an amount not to exceed \$100,000.00. This amendment provides for additional time to allow the engineer to provide for additional inspection services to be supplied by the engineer under the original agreement. This amendment will not expire on January 31, 2006. Upon a motion by Mr. Finnell, seconded by Mr. Tew, the Board voted to approve the Construction Inspection/Design Services, Time Only with Butler, Fairman & Seufert, Inc.

- c. ENG-03-013; Construction Inspection/Design Services, Time Only, Amendment No. 2  
\$0.00 – Congdon Engineering

Staff recommended that the Board of Public Works approve Amendment No. 2 to the Professional Service Agreement dated February 26, 2003 with Congdon Engineering for ENG-03-013 for time extension only for an amount not to exceed \$330,000.00. This amendment provides for additional time to allow the engineer to provide for additional inspection services to be supplied by the engineer under the original agreement. This amendment will not expire on January 31, 2006. Upon a motion by Mr. Tew, seconded by Mr. Buford, the

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Board voted 5-0 to approve the Construction Inspection/Design Services, Time Only with Congdon Engineering.

- d. ENG-00-014; Laboratory and Field Testing of Construction Materials  
\$0.00 – CTL Engineering, Inc

Staff recommended that the Board of Public Works approve Amendment No. 4 to the Professional Service Agreement dated September 13, 2000 with CTL Engineering of Indiana, Inc., for ENG-00-014, Laboratory and Field-Testing of Construction Materials to extend the contract expiration date to March 31, 2005. The contract amount will remain at a total not to exceed \$100,000.00. The amendment provides for additional laboratory and field testing of construction materials through March 31, 2005, utilizing the current service rates. Upon a motion by Mr. Buford, seconded by Mr. Tew, the Board approve the Laboratory and Field Testing of Construction Materials with CTL Engineering, Inc.

*\*Mr. Tew thanked staff for the completion of the Fall Creek thoroughfare.*

**ITEM # 7– OTHER BUSINESS**

Departmental Update – Margie Smith-Simmons, Public Information Officer, stated that the City had completed 912 pothole complaints, and commended staff for their continued support and efforts. Also, she welcomed the new Assistant Public Information Office, Angela Nussmeyer to the Department.

There being no further business the meeting of the Board of Public Works was adjourned at 1:21 p.m.

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**James A. Garrard, Chair**

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**Kimberly A. Frye, Recording Secretary**